

Express Mail No.: EV 654 850 775 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Benjamin OSHLACK and Hua-Pin HUANG	Confirmation No.:	To Be Assigned
Serial No.:	To Be Assigned	Art Unit:	To Be Assigned
Filed:	October 20, 2005	Examiner:	To Be Assigned
Title:	TAMPER RESISTANT DOSAGE FORM COMPRISING CO- EXTRUDED, SEQUESTERED ADVERSE AGENT PARTICLES AND PROCESS OF MAKING SAME	Attorney Docket No.:	6750-147-999 (CAM No.: 305158-999145)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:
  - 1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.
  - 1b. A legible copy of :
    - ☒ Each publication or that portion which caused it to be listed on the PTO-1449;
    - ☐ For each cited pending U.S. application filed before June 30, 2003, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
    - ☐ all other information or portion which caused it to be listed on the PTO-1449.
  - 1c. ☒ An English language copy of a PCT International Search Report (WO 2004/093819 A3).
  - 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
  - 1e. ☒ Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the cited U.S. patents and U.S. patent application publications are not submitted herewith.

2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☒ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☒ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - ☒ Before the mailing of the first Office action on the merits;
  - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 50-3013.
4. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability and no representation is made that a search has been made (other than a PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

*James G. Markey by  
George A. Amiel 42,140 31,636*

Date: October 20, 2005

James G. Markey (Reg. No.)  
**JONES DAY**  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

Enclosures

<b>LIST OF REFERENCES CITED BY APPLICANT</b> (Use several sheets if necessary)	ATTY. DOCKET NO. 6750-147-999 (305158-999145)	APPLICATION NO. <b>107554157</b> To Be Assigned
	APPLICANT <b>Benjamin OSHLACK and Hua-Pin HUANG</b>	
	FILING DATE 10/20/05	GROUP To Be Assigned

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	3,493,657	02/03/1970	Lewenstein et al.	424	260	
	A02	3,773,955	11/20/1973	Pachter et al.	424	260	
	A03	3,966,940	06/29/1976	Pachter et al.	424	260	
	A04	4,457,933	07/03/1984	Gordon et al.	424	260	
	A05	4,582,835	04/15/1986	Lewis et al.	514	282	
	A06	4,957,681	09/18/1990	Klimesch et al.	264	211.23	
	A07	4,970,075	11/13/1990	Oshlack	424	451	
	A08	4,990,341	02/05/1991	Goldie et al.	424	484	
	A09	5,266,331	11/30/1993	Oshlack et al.	424	468	
	A10	5,324,351	06/28/1994	Oshlack et al.	106	153	
	A11	5,334,392	08/02/1994	Cuine et al.	424	468	
	A12	5,356,467	10/18/1994	Oshlack et al.	106	153	
	A13	5,451,409	09/19/1995	Rencher et al.	424	468	
	A14	5,462,747	10/31/1995	Radebaugh et al.	424	465	
	A15	5,472,712	12/05/1995	Oshlack et al.	424	480	
	A16	5,478,577	12/26/1995	Sackler et al.	424	489	
	A17	5,492,692	02/20/1996	Digenis et al.	424	78.25	
	A18	5,549,912	08/27/1996	Oshlack et al.	424	468	
	A19	5,508,042	04/16/1996	Oshlack et al.	424	468	
	A20	5,656,295	08/12/1997	Oshlack et al.	424	468	
	A21	5,935,975	08/10/1999	Rose et al.	514	343	
	A22	5,958,452	09/28/1999	Oshlack et al.	424	457	
	A23	5,965,161	10/12/1999	Oshlack et al.	424	457	
	A24	5,968,551	10/19/1999	Oshlack et al.	424	456	
	A25	6,063,405	05/16/2000	Drizen et al.	424	488	
	A26	6,143,328	11/07/2000	Heafield et al.	424	489	
	A27	6,228,863	05/08/2001	Palermo et al.	514	282	
	A28	6,261,599	07/17/2001	Oshlack et al.	424	457	
	A29	6,294,195	09/25/2001	Oshlack et al.	424	457	
	A30	6,306,391	10/23/2001	Modi et al.	424	93.44	
	A31	6,335,033	01/01/2002	Oshlack et al.	424	457	
	A32	2002/0119197 A1	08/29/2002	Dyar et al.	424	473	
	A33	2003/0004177 A1	01/02/2003	Kao et al.	514	282	
	A34	2003/0073714 A1	04/17/2003	Breder et al.	514	282	
	A35	2003/0143269 A1	07/31/2003	Oshlack et al.	424	468	02/08/2001

10/554157

Sheet 2 of 2 of List of References

of Application No.: To Be Assigned

FOREIGN PATENT DOCUMENT

609 Rec'd PCT/PTO 20 OCT 2005

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	WO 01/58451	08/16/2001	PCT				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

C01	Remington's Pharmaceutical Sciences, 16th ed. (A. Osol, ed.), Mack Publishing Co., Easton, PA, 1553-1593 (1980)
C02	Remington's Pharmaceutical Sciences, 18th ed. (A. Gennaro, ed.), Mack Publishing Co., Easton, PA, 1684-1685 (1990)

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.